

Application No.: 09/543,006  
Docket No.: JCLA5712

## **REMARKS**

### **Present Status of the Application**

Applicant appreciates that the Office Action has allowed claims 7-12.

The Office Action rejected claims 1-6 under 35 U.S.C. 102 as being anticipated by Kubo et al. (U.S. Patent 5,963,343). Applicant has amended independent claim 1 above. After entry of the foregoing amendments, claims 1-6 remain pending in the present application, and reconsideration of those claims is respectfully requested.

### **Discussion of Office Action Rejections**

Applicant appreciates that the Office Action has allowed claims 7-12.

The Office Action rejected claims 1-6 under 35 U.S.C. 102 as being anticipated by Kubo et al. Applicant has amended independent claim 1. Applicant respectfully traverses the rejections for at least the reasons set forth below.

In amended independent claim with respect to FIG. 3B (page 6), due to at least two optical meters are overlapped to produce a specific digital pattern, which is cyclic and directional. For example in FIG. 3B, the pattern of "10", "11", "01" and "00" can be read. However, in reverse moving direction, the pattern of "00", "01", "11", and "10" is read. Therefore, the moving direction can be also determined.

The features are recited in independent claim 1 as follows:

Claim 1. A closed circuit control device for controlling the scanning speed of a plurality of carriers inside a scanner, comprising:

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a plurality of optical meters attached to a transparent glass panel and an optical sensor inside the scanner, wherein at least two of the optical meters are overlapped to produce digital signals with a cyclical directional pattern, whereby the optical scanner is capable of continuously picking up images of the optical meters during a scanning session and generating corresponding sense signals for controlling speed of a plurality of carriers, and detecting a moving direction according to the cyclical directional pattern (emphasis added).

The features emphasized in claim 1 are at least not disclosed by Kubo et al.

In re Kubo et al., only one distinguishing pattern 10 is used for detecting moving speed.

The cyclic directional pattern of the present invention is not disclosed by Kubo et al..

Kubo et al., failed to equivalently the features of the present invention as recited in claim 1. The rejection under 35 U.S.C. 102 is not proper. However, even if the rejection under 35 U.S.C. 103 is further applied, the use of a plurality of optical meters in overlapping to form the cyclic directional pattern has rendered non-obviousness with unexpected results, based on the disclosure of using only one optical meter in Kubo et al..

For at least the foregoing reasons, Applicant respectfully submits that independent claim 1 patently defines over the prior art, and should be allowed. For at least the same reasons, dependent claims 2-6 patently define over the prior art as well. Claims 7-12 have been allowed.

### CONCLUSION

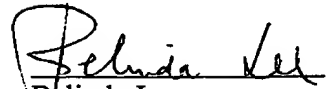
For at least the foregoing reasons, it is believed that all pending claims 1-12 are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.



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Respectfully submitted,

Date: May 30, 2003

  
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